



Respecting human rights when working with ‘fixers’ on international productions

Background

In 2021, the TV Industry Human Rights Forum conducted [research into human rights risks related to working with third party media support workers](#), some of whom are termed ‘fixers’¹. The research identified a wide range of inadequately mitigated risks both to the people undertaking the role of ‘fixer’ and also to international crew and contributors.

The key messages from the research were grouped into six themes:

1. ‘Fixers’ are essential and should be valued
2. They take on risks as a result of the work they do on behalf of broadcasters
3. Processes relating to third parties are often quite informal
4. There are few protections for ‘fixers’
5. The behaviour of international teams can put everyone at risk
6. The use of cash increases human rights risks

In June 2023, the TV Industry Human Rights Forum reviewed and discussed the topic, supported by guest speakers Clothilde Redfern of the Rory Peck Trust and Krzysztof Dzięciołowski of Vision House. This paper summarises some of the main themes from that discussion.

Human rights impacted

The research identified risks to a range of human rights, including rights to dignity and equality, life, health, non-discrimination and just and favourable conditions of work. Other relevant human rights themes include freedom of expression, which includes media freedom, and the rule of law.

¹ A ‘fixer’ is a term that has multiple meanings in different contexts. It can also have a negative implication and is thus a problematic shorthand, but despite attempts to move to other terms, such as media support worker, location services personnel, or local producer the use of the word ‘fixer’ refuses to go away.

Addressing two problematic features of relationships with ‘fixers’

The relationship between the broadcaster or production company and the fixer is characterised by informality and uneven power structures. Both features increase the risks borne by ‘fixers’ and the risks to international teams working alongside them. The table below highlights some of the issues related to these characteristics that were discussed, together with suggested quick wins and more systemic changes that broadcasters and production companies could adopt.

	Informality	Uneven power structures	Quick win	Systemic change
Terminology	The term ‘fixer’ sounds casual and underplays the meaningful role such people play	The term ‘fixer’ is derogatory and suggests they are a general dogsbody who can be asked to ‘fix’ anything (e.g. provide drugs or sex workers to a celebrity on demand)	<ul style="list-style-type: none"> • Use the term ‘local producer’ as standard in all discussion and documentation • Education piece to make people aware of issues 	<ul style="list-style-type: none"> • Sensitise people to be respectful and sanction them when they are not
Policies	‘Fixers’ are often invisible within the structures and policies that broadcasters have in place to support and protect their teams	There can be an ‘us’ and ‘them’ mentality, giving a sense that rules are different or differently applied	<ul style="list-style-type: none"> • Include explicit reference to third parties and local producers in policy documents and share these transparently with local teams 	<ul style="list-style-type: none"> • Find good practice in other industries and adapt for TV
Credits	Because ‘fixers’ are “behind the scenes” they are often not credited appropriately, which can impact their earning ability	It is difficult for ‘fixers’ to ask for a credit	<ul style="list-style-type: none"> • Credit local producers on shows (with their consent and where it is safe to do so) 	<ul style="list-style-type: none"> • Build and maintain trust continuously
Contracts	Often there are no contracts (only verbal agreements) and considerable legal ambiguity about responsibilities	Freelancers have limited employment rights and little recourse if clients refuse to pay Where contracts are in place, they are likely to be skewed heavily in favour of the broadcaster rather than providing protection to both parties, e.g. ‘zero reason’ termination clauses	<ul style="list-style-type: none"> • Introduce ‘onboarding’ conversations as standard to build trust • Introduce ‘deal memos’ for needs with a quick turnaround that protect both sides and provide key contacts to get in touch with for any issues • Use intermediary platforms to manage freelancer relationships if the broadcaster’s own systems are too clunky to set up contracts at speed required • Introduce a ‘contract’ memo to address imbalances between staff and freelancers 	<ul style="list-style-type: none"> • Formalise long-term relationships with appropriate contracts in place that protect both sides
Insurance	Insurance is often not provided	Local workers may not be experienced enough to know to purchase it themselves	<ul style="list-style-type: none"> • Provide insurance for all local producers and establish policies and protocols in the event of uninsurable situations occurring 	<ul style="list-style-type: none"> • Improve insurance provision to cover illness, mental health, arrest, detention and kidnap

Risk assessment	Risk assessments are very rarely seen by fixers	Large broadcasters may set up local production companies in order to shift the risk away from themselves and abuse lack of knowledge of local fixers, in order to bend rules on health and safety etc.	<ul style="list-style-type: none"> • Share completed risk assessments back with local producers 	<ul style="list-style-type: none"> • Encourage teams to have a continuous dialogue with their local producer(s) well in advance of projects if possible; ensure their perspectives are listened to, respected and incorporated into risk assessments
Risk appetite	By being 'local' the situation of 'fixers' is often viewed by international teams as part of their general existence, even if the very fact that they are working with foreign media or broadcasters increases their personal risk	'Fixers' can feel under pressure to take risks that they are not comfortable with and fear speaking out or raising concerns	<ul style="list-style-type: none"> • Identify, prevent and the risks borne by local producers as a consequence of their work with international teams • Have a complaints process for raising concerns anonymously 	<ul style="list-style-type: none"> • Build a culture that addresses the power imbalances and enables local producers to raise concerns without fear • Create collaborative working between risk team and editorial/production team for low and medium risk situations (building on high-risk expertise)
Due diligence	'Fixers' may be relied upon by broadcasters to carry out due diligence on other third parties	Legal risk shifts to the 'fixer' rather than the larger broadcaster or production company	<ul style="list-style-type: none"> • Request information on third party working conditions and relevant licences, training and certifications 	<ul style="list-style-type: none"> • Retain accountability for due diligence of third parties, provide standards and support to those conducting it and insist on full transparency
Training and support	There is no standard access to training or any of the other usual mitigations broadcasters put in place for their own employees	The 'us' and 'them' mentality can prevent consideration of the needs that 'fixers' may have to do the job safely	<ul style="list-style-type: none"> • Provide access to overseas freelancers to existing mental health resources • Provide access to training resources, such as via the Rory Peck Trust 	<ul style="list-style-type: none"> • Build long-term relationships with 'fixers' and invest in them with training, equipment and ongoing support, including for mental health
Use of cash	'Fixers' are often paid in cash as this means that they are paid quickly rather than getting tied up in a corporation's payment system	Broadcasters set the rates and pay levels used to be comparatively good but this is no longer the case – one broadcaster has not changed its rates since 2004	<ul style="list-style-type: none"> • Apart from news, most productions should be able to plan far enough in advance that they put appropriate systems in place • Require receipts or invoices if cash is the only option • Avoid using cash to pay for security, especially public security 	<ul style="list-style-type: none"> • Balance the need to move fast with more formal and reliable systems for contracting and paying third parties

Drivers for change

International human rights frameworks

The [UN Guiding Principles on Business and Human Rights](#) are explicit in identifying a separate corporate responsibility to respect human rights; this responsibility does not stop at a legal agreement or by being outsourced to another provider. These principles are starting to underpin hard law across Europe, where due diligence legislation is now being introduced.

Legislation

There is now legislation in France ([Duty of Vigilance Law](#)), Germany ([Act on Corporate Due Diligence in Supply Chains](#)), Norway ([Transparency Act](#)) and Switzerland ([Conflict Minerals and Child Labor Due Diligence](#)), which places a requirement on companies to undertake due diligence on their own operations *and supply chains* and to prevent, mitigate and remediate the risks identified. These legal requirements already apply to many large broadcasters and production companies operating. The forthcoming [EU Corporate Sustainability Due Diligence Directive](#) will introduce similar requirements across all EU countries so it is good practice to put systems in place ahead of the legislation.

Duty of care

There is a moral imperative for broadcasters and production companies to ensure a duty of care for all those who work on their TV shows. Currently the burden of risk is often on the side of more vulnerable local individuals or small businesses who have less power in the relationship.

Safety of the whole team

The discussion highlighted how poor treatment of third parties can put the safety of the whole team at risk. Without the right training and support, they may not be able to respond in a crisis in a way that keeps everyone safe. If they do have valuable insights that should feed into risk assessments, these may be discounted or they may not be included at all in important conversations.

Resources

- [Fair Filming Guidelines](#) produced by One World Media to ensure appropriate treatment of contributors and based on the idea that Fair Trade concepts should apply to TV production too
- [Safety Principles](#) which were created by the ACOS Alliance following the murders of James Foley and Steven Sotloff by Isis in 2014
- Good practice checklist for broadcasters developed by the TV Industry Human Rights Forum
- [Summary of human rights risks](#) to consider when working with third parties in international productions